

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

BOBBY W. BRYANT, JR.,

Plaintiff,

v.

**NORFOLK SOUTHERN RAILROAD,
and JASON McWILLIAMS,**

Defendants.

)
)
)
)
)
)
)
)
)
)
)

No. 5:20-CV-00225-TES

**PLAINTIFF'S MOTION TO ENFORCE SETTLEMENT AGREEMENT, IMPOSE
SANCTIONS, AND AWARD ATTORNEY FEES**

COMES NOW, Plaintiff, Bobby W. Bryant, Jr., and by and through his undersigned counsel of record, and hereby moves to enforce the settlement agreement with Defendant **Jason McWilliams**. Defendant Norfolk Southern Railroad was not a party to this settlement. This portion of this civil action was settled with this individual Defendant for the total sum of \$7,500.00. This agreement was reached between counsel for this Defendant and Plaintiff's counsel on July 21, 2021 and subsequently memorialized in writing. Subsequently, counsel for Defendant attempted to withdraw consent to this agreement.

Plaintiff now shows that this Defendant has refused to comply with the terms of this settlement agreement and therefore Plaintiff now moves this Court to exercise its inherent power to enforce this settlement agreement and respectfully showing, in addition to the above, as follows:

1.

- A. Plaintiff moves for enforcement of the settlement agreement by an order for specific performance;
- B. Plaintiff moves for sanctions against the Defendant McWilliams for his actions in this

case; and

- C. Plaintiff moves for assessed attorney fees against Defendant McWilliams and/or his counsel for the time and additional cost of bringing this motion.

A supporting brief and evidentiary material accompany this motion will be filed contemporaneously herewith.

WHEREFORE, Plaintiff moves this Court for an order to enforce the settlement agreement reached between counsel in this case; and to further assess sanctions and assessed attorney fees against this Defendant McWilliams and/or his counsel consistent with this Motion.

Respectfully submitted this 3rd day of September, 2021.



NEAL B. GRAHAM
Attorney for Plaintiff
Georgia Bar No. 304660

GRAHAM LAW, LLC.
3715 Vineville Avenue
Macon, GA 31204
Phone (478) 284-0000
Fax (478) 292-5432


CERTIFICATE OF SERVICE

I hereby certify that I have this date emailed a copy of the foregoing Plaintiff's Motion to Enforce Settlement Agreement, Impose Sanctions, and Award Attorney Fees to the following attorneys of record:

Alyssa K. Peters
Constangy, Brooks, Smith & Prophete, LLP
577 Mulberry Street, Suite 710
P. O. Box 1975
Macon, Georgia 31202
apeters@constangy.com
Attorney for Defendant Norfolk Southern

Paul J. Sharman
The Sharman Law Firm LLC
11175 Cicero Drive, Suite 100
Alpharetta, Georgia 30022
paul@sharman-law.com
Attorney for Defendant McWilliams

This 3rd day of September, 2021.


NEAL B. GRAHAM
Georgia Bar No. 304660
Attorney for Plaintiff

GRAHAM LAW, LLC.
3715 Vineville Avenue
Macon, Georgia 31204
(478)284-0000
nealgraham45@icloud.com